App.F.IX-4

192 5 ✓ File No. 218-25

Previous References (Courts)

Serial Nos. 1-2

PRESERVED

Later references.

4975-26-notes.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for April 1926

SUBJECT

Addendum to Rules regulating the practice of the Chief Court re the responsibility for charges for the typing or printing records &c in appeals before the Chief Court

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G.O. No. P. 5282 of 15-4-26

To the Regr. Chief Court

Sanctioned.

M Iyengar
19/4/26.

G. R. S. III—1] 1925-26

GENERAL AND REVENUE SECRETARIAT.

Courts.

NOTES.

File No. 218-25

FILE HEADING.

Addendum to the Rules regulating the practice of the Chief Court re the responsibility for charges for the typing or printing records etc in appeals before the Chief Court

From

The Regr Chief Court

Roc No. 9844 Dated 19-3-26 Received 22-3-26

Diary No. 3699 | Enclos. | Spare Copies. | Serial No.

BRIEF ABSTRACT OF LETTER.

States that some difficulty in recovering the balance or whole of the printing or typing charges of records in appeals before the Chief Court from the Advocate is felt in the absence of a definite rule to the effect and requests sanction to the accompanying addendum to the rules fixing the responsibility for the payment of such charges.

NOTES AND ORDERS.

Send with draft for orders. It is not clear how the rule does away with the risk. Perhaps under the new rule the Chief Court fixes the extent of responsibility of each Advocate, when there are more than one

26/3/26

2) Please send the Madras rule referred to

27/3

3) Send with the Madras Rules referred to for the Chief Court today

27/3

NOTES—First Sheet.

WD 1881—GPB—30,000—1-8-21

6/4/26

6/4

Serial No.

4

~~Then~~ Under the proposed rule, it is only when a record is printed translated on behalf of the Advocate, that he is made responsible for the charges.

5 But when the record is printed, translated or typed on behalf of the party, the Advocate may not be held responsible.

~~If so, the~~

S 6 In the Madras rule (put up) there is a penalty prescribed, by that the Registrar may, in his discretion, refuse ship the issue of all or any papers to any pleader who has failed to pay any money due by him to the court under these rules.

There is no such provision in the rule proposed by the Chief Court. It is therefore not clear, how the breach of the rule will be penalised.

Draft sanctioning, is however, put up for appl or their orders.

9/4

Chiefs & Draft may be appd

1st Mr. 8/4 10/4

339/12.4 28 10.4

Appd 8/4 12/4 12/4

WD 01264—GPB—40,000—17-12-25

General and Revenue Secretariat | No File No. 46 of 1925.

Serial No	
2	To the Regtr Chief Court No P 5282 - D 15-4-26 Sanctions the proposal of the Registrar

B/174

NOTE.— Contn. Sheet

39049

3699/1925

URGENT.

Telgm:
"JUSTICE

CHIEF COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore 19th March *1926*

R. O. C. ~~Dis.~~ No. 984 / 25-26 Genl

ಕ 218 ಪಿಸಿ

From

A. Sreenivasaragavachari, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

To

B. NAGAPPA, Esq., Bar-at-Law.,
Secretary to Government,
Local & Legislative Depts.,
B A N G A L O R E

Sir

I am directed to state that it has been the practice in the Chief Court to order records in appeals being printed at the request of the Advocate appearing for the appellant or respondent and a sum based on a rough estimate of the probable cost is recovered from the advocate before the records are sent to the press for being printed. In some cases however it happens that the estimate falls short of the actual cost and some difficulty was felt in recovering the balance from the advocate concerned in the absence of a specific rule to that effect.

A question recently came up before the Chief Court in connection with an appeal as to whether an advocate is or is not responsible for the entire or balance of printing charges incurred in printing or typing records in the case, and where there was more than one advocate or a change of advocates during the trial of an appeal which of them should be made responsible. There is no distinct rule in the Chief Court Rules, fixing the responsibility and with a view to prevent doubts I am to state that it is necessary to introduce a rule

on

on the analogy of Rule 84 of the Madras Appellate Side Rules with suitable modifications.

I am therefore to recommend that the Government may be pleased to sanction the accompanying addendum to the Chief Court Rules.

I have the honour to be,

Sir,

Your most obedient servant,

Sheemisadopowchen 19/3/26

REGISTRAR.

TKV.

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

CIVIL SIDE.

Addendum dated the .....1926, to the Rules dated the 25th September 1905, issued for the purpose of regulating the practice of the Chief Court. (Printed at pp.1 to 10 of General Rules and Orders - Civil Volume I).

****

The Chief Court directs that the following be added as Rule 19 A.

"Advocates shall be responsible for all translation, printing or typing charges incurred on their behalf under these rule "

M Srinivasaiyar

FOR REGISTRAR.

TKV.

G.R.S. VI G 34]

SUBJECT.....

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Diary No. of letter replied to.....

Section Ab

File No. 2885

Serial No. 2

General and Revenue Secretariat

( )

the 192.

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue.... 15/4/26

Signed by.....

Read—

Letter no Roc 984/25-26 d 19.3.26 from the Regr. Chief Court stating that it has been the practice in the Chief Court to order records in appeals being printed at the request of the Advocate appearing for the appellant or respondent, that a sum based on a rough estimate of cost is recovered from the Advocate before the Records are sent to the Press, and that in some cases when the estimate ~~falls~~ fell short of the actual cost, difficulty was felt in recovering the balance from the advocate concerned ~~especially~~ in the absence of a specific rule to the effect, especially when there

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

~~Order Thereon No~~

5—

were more than one advocate
or a change of advocates during
the trial save appeal and
representation to the
accompanying addendum to the
Rules regulating the practice
of the Chief Court fixing the
responsibility in the matter
of the
sanctions

do
the Regr. Chief Court under ack

List of enclosures.

Copied by

Examined by

WD 1888—GPB—1,000,00—21-12-21